

**CITY COUNCIL MEETING  
CITY OF WATERTOWN  
October 15, 2012  
7:00 p.m.**

**Mayor Jeffrey E. Graham Presiding**

**Present:** Council Member Roxanne M. Burns  
Council Member Joseph M. Butler, Jr.  
Council Member Teresa R. Macaluso  
Council Member Jeffrey M. Smith  
Mayor Graham

**Also Present:** Sharon Addison, City Manager  
Robert J. Slye, City Attorney

**City staff present:** Elliott Nelson, Jim Mills, Ken Mix, Kurt Hauk, Beth Morris, Amy Pastuf, Brian Phelps, Erin Gardner, Chief Dale Herman, Mike Sligar, Barbara Wheeler

The City Manager presented the following reports to Council:

- Resolution No. 1 - Accepting Bid for Fluoride Replacement System, Continental Construction
- Resolution No. 2 - Approving Online Auction Through Auctions International, Inc. for Auction of Surplus Vehicles and Equipment
- Resolution No. 3 - Approving the Site Plan for the Construction of a 9,379 Square Foot Paved Parking Area at 203 Clinton Street, Parcel 10-08-122
- Resolution No. 4 - Approving the Site Plan for Construction of an Asphalt Access Road with Landscaping at 1291 Faichney Drive, Parcel 8-40-106
- Resolution No. 5 - Approving a Special Use Permit Request to Operate an Automobile Sales Lot in a Neighborhood Business District at 808 Main Street West, Parcel 1-16-205.001
- Resolution No. 6 - Approving the Project Agreement Between the City of Watertown and the Development Authority of the North Country for Funds From the North Country HOME Consortium
- Resolution No. 7 - Authorizing Acceptance of Credit Cards for Payments
- Resolution No. 8 - Approving Supplemental Appropriation No. 3 For Fiscal Year 2011-12 for Various Accounts
- Resolution No. 9 - Authorizing Assignment of City-owned Tax Sale
- Certificate on Parcel Number 07-03-312.000 Known as 457 Court Street To Clifford K. Pickett Sr., 225 Mechanic St, Watertown, New York 13601
- Resolution No. 10 - Authorizing Assignment of City-owned Tax Sale Certificate on Parcel Number 5-14-103.000 Known as 1543 State Street To Thomas M. Stanley Jr., 8094 Saintsville Road, Kirkville, New York 13082

- Resolution No. 11 - Authorizing Sale of Real Property, Known as 1 Boyd Place to Jeffrey A. Lowe, 2 Boyd Place, Watertown, New York 13601
- Resolution No. 12 - Authorizing Sale of Real Property, Known as 507 Holcomb Street to Eric Michael Moore, 935 Sherman Street, Watertown, New York 13601
- Resolution No. 13 - Authorizing Sale of Real Property, Known as 660 Huntington Street to Eric Michael Moore, 935 Sherman Street, Watertown, New York 13601
- Resolution No. 14 - Authorizing Sale of Real Property, Known as 753 Rear Main Street West to Ruby C. Williams, 223 LeRay Street, Black River, New York 13612
- Resolution No. 15 - Authorizing Sale of Real Property, Known as 729 Morrison Street to James Desormeau, 739 Morrison Street, Watertown, New York 13601
- Resolution No. 16 - Authorizing Sale of Real Property, Known as 611 Olive Street to Thon Vith, 629 Lillian Street, Watertown, New York 13601
- Resolution No. 17 - Authorizing Sale of Real Property, Known as 221 Rutland Street South to David and Lucinda Heinisch, 1247 Minerva Avenue, West Islip, New York 11795
- Resolution No. 18 - Authorizing Sale of Real Property, Known as 259 Seymour Street to Cavellier Properties Inc. 16747 Co. Rt. 155, Watertown, New York 13601
- Resolution No. 19 - Authorizing Sale of Real Property, Known as 1407 State Street to Chad Johnson, 329 Broadway Avenue West, Watertown, New York 13601
- Resolution No. 20 - Authorizing Sale of Real Property, Known as 60 Woodley Street to William Martin, 576 Snell Street, Watertown, New York 13601
- Ordinance No. 1 - Changing the Approved Zoning Classification of 63 Properties, Between Main Street West and the Black River, in Order to Conform to The Local Waterfront Revitalization Program
- Old Business - Ordinance Amending Section A320 of the City Code, Fees
- Proposed No Parking Restriction, Jefferson Street
- VL Huntington St

**Complete Reports on file in the office of the City Clerk**

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of October 1, 2012 and work session of October 9, 2012 was dispensed and accepted as written by motion of Council Member Burns, seconded by Council Member Smith and carried with all voting in favor thereof.

**PROCLAMATION**

Mayor Graham interrupted the regular course of business to present Elaina F. Marra, Executive Director of the Victims Assistance Center of Jefferson County with a proclamation declaring the month of October 2012 as National Domestic Violence Awareness Month. Mayor Graham encouraged citizens to participate in the scheduled activities and programs sponsored by the Victims Assistance Center to work toward the elimination of violence against women.

Ms. Marra thanked the Mayor, City Council and the City Manager for recognizing domestic violence awareness month because she said it means so much to the women and children in the community whom are served by the Center to know that people care about them. She mentioned that the annual appreciation breakfast will be held October 31, 2012, at 11:45 a.m. at the Black River Valley Club.

Lynn Pietroski, Director of the Greater Watertown North County Chamber of Commerce, was asked to join the Mayor and Council to receive a certificate in recognition of the completion of the Fire Ball Run. Communication was received from Jay Sanchez, Executive Producer of the event thanking the City of Watertown and officials who helped organize the occasion.

Ms. Pietroski thanked everyone for their support and said the event was a great opportunity to work with the City Manager and the various departments across the City.

### **COMMUNICATIONS**

No Communications.

### **PRIVILEGE OF THE FLOOR**

**Sally Sanderson**, 102 Creekwood Drive, Apt. 2, addressed the chair stating that she has only lived there for a short time but loves it. She said she had lived at Summit Wood for four years but hopes to stay at Creekwood for a long time.

**April Barker**, addressed the chair concerning her living conditions and said she is one of the tenants that did not get into Creekwood right away, saying that she lives in the hotel across the street. She said she was asked to come to Council to let them know that they are trying to accommodate her in the best way that they can and mentioned she has received food allowances. Ms. Barker added that it has been a rough time so far, but she is weathering through the storm.

### **RESOLUTIONS**

#### **Resolution No. 1 - Accepting Bid for Fluoride Replacement System, Continental Construction**

##### **Introduced by Council Member Jeffrey M. Smith**

WHEREAS the City Purchasing Department has advertised and received sealed bids for the Fluoride Feed Replacement System at the Water Treatment Plant, per our specifications, and

WHEREAS invitations to bid were issued to Northern New York and Syracuse Builders Exchange, the Dodge Reports and The Contract Reporter, with eight (8) sets of bid specifications

and plans requested by area builders with two (2) sealed bids received and publicly opened and read in the City Purchasing Department on Thursday, September 27, 2012, at 11:00 a.m., and

WHEREAS City Purchasing Manager Amy M. Pastuf reviewed the bids received with the consulting Engineering Firm Bernie, Carr & Associates, as well as the Water Department and Engineering Department, and it is their recommendation that the City Council accept the bid submitted by Continental Construction,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid submitted by Continental Construction, as the lowest qualifying bidder for the Fluoride Feed Replacement System at the Water Treatment Plant, per our specifications in the amount of \$73,195.00.

**Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.**

Prior to the vote, Council Member Butler inquired about the importance of having fluoride in the water.

Mr. Sligar replied that it is added because it has to be and the tank is being replaced because the City was told it had to be replaced.

#### **Resolution No. 2 - Approving Online Auction Through Auctions International, Inc. for Auction of Surplus Vehicles and Equipment**

**Introduced by Council Member Teresa R. Macaluso**

WHEREAS the City of Watertown has determined that they have vehicles and equipment that are excess to the City's needs, and

WHEREAS it is the City's desire to get the best price possible for these vehicles and equipment, and

WHEREAS the City of Watertown has in place a two-year contract with Auctions International, Inc., which conducts online auctions of vehicles and equipment, and

WHEREAS there is no cost to the City, as the fee charged by Auctions International is a 10% buyer's premium,

NOW THEREFORE BE IT RESOLVED by the City Council that it hereby approves the Online Auction with Auctions International, Inc., for the attached list of vehicles and equipment which is made a part of this resolution, and

BE IT FURTHER RESOLVED that the Purchasing Department is authorized to accept the highest offer at time of sale provided the offer meets or exceeds the estimated scrap value.  
**Seconded by Council Member Joseph M. Butler Jr. and carried with all voting yea.**

Prior to the vote on the resolution, Council Member Smith asked about the 2001 Ford Van 150, and inquired if the van could be handed down to the sidewalk crews.

Kurt Hauk, City Engineer, replied that he is always on the lookout for vehicles for the sidewalk program. He mentioned that he had spoken with Pete Monaco about the vehicles that are on the list but said he did not recommend that any of them be used. Mr. Hauk noted that the City is in dire need of a vehicle to pull the water department's trailer. He added that there are some vehicles that are coming off the road after this next budget that may be more promising.

Council Member Smith asked if there is something that could be used between now and the next budget cycle.

Mr. Hauk replied that if nothing can be found to pull the trailer, it would have to be staged somewhere.

Council Member Butler asked if these vehicles are all surplus or if any of them are to be replaced.

Ms. Addison replied that the vehicles are all surplus.

**Resolution No. 3 - Approving the Site Plan for the Construction of a 9,379 Square Foot Paved Parking Area at 203 Clinton Street, Parcel 10-08-122**

**Introduced by Council Member Jeffrey M. Smith**

WHEREAS Brian Jones of Aubertine & Currier, on behalf of RCAN LLC, has made an application for site plan approval for a 9,379 square foot paved parking area at 203 Clinton Street, parcel 10-08-122, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meetings held on September 4, 2012 and October 2, 2012, and at the latter meeting voted to recommend that the City Council of the City of Watertown approve the site plan submitted on September 20, 2012 with the following conditions:

- 1) The applicant shall replace the sidewalk and apron across the Sherman Street driveway per City standards.
- 2) The applicant shall call out removal of the existing driveway apron and replacement with topsoil and seed.
- 3) The applicant shall provide sidewalk and driveway details per City specifications. Inquire with the Engineering Department for details.
- 4) The applicant shall provide pre- and post-development drainage calculations and maps.
- 5) The applicant shall provide a stormwater design plan and details.
- 6) The proposed tree species shall be selected from the "Large Deciduous Trees" list in the Landscaping and Buffer Zone Guidelines and they shall be

diversified on the plan so that no one species constitutes more than 25% of the total.

- 7) The landscaping plan shall be modified to provide a selection of shrubs that have a mature height of at least three feet to be located in planting beds in between the trees.
- 8) The applicant shall provide a wet-stamped and signed copy of the boundary and topographic survey. The survey must include all above and below surface features within 50' of the property, and within the Clinton Street and Sherman Street rights-of-way.

And,

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed construction and site plan constitute an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Code Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Code Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that site plan approval is hereby granted to Brian Jones of Aubertine & Currier, on behalf of RCAN LLC, for a 9,379 square foot paved parking area at 203 Clinton Street, parcel 10-08-122, as submitted to the City Engineer on September 20, 2012, contingent on the applicant making the revisions and meeting the conditions recommended by the Planning Board as listed above.

**Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.**

**Resolution No. 4 - Approving the Site Plan for Construction of an Asphalt Access Road with Landscaping at 1291 Faichney Drive, Parcel 8-40-106**

**Introduced by Council Member Jeffrey M. Smith**

WHEREAS Patrick Scordo of GYMO PC, on behalf of Guilfoyle Ambulance Service, has made an application for site plan approval for construction of an asphalt access road with landscaping at 1291 Faichney Drive, parcel 8-40-106, and

WHEREAS the Jefferson County Planning Board reviewed the request at their September 25, 2012 meeting, and adopted a motion stating that the project has no county-wide or inter-municipal issues, and is of local concern only, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on October 2, 2012, and recommended that the City Council of the City of Watertown approve the site plan as submitted, and

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed construction and site plan constitute an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Code Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Code Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that site plan approval is hereby granted to Patrick Scord of GYMO PC, on behalf of Guilfoyle Ambulance Service, for an asphalt access road and landscaping at 1291 Faichney Drive, parcel 8-40-106, as submitted to the City Engineer on September 11, 2012.

**Seconded by Council Member Joseph M. Butler Jr. and carried with all voting yea.**

**Resolution No. 5 - Approving a Special Use Permit Request to Operate an Automobile Sales Lot in a Neighborhood Business District at 808 Main Street West, Parcel 1-16-205.001**

**Introduced by Council Member Roxanne M. Burns**

WHEREAS Jessica Jarrell has made an application for a Special Use Permit to operate an automobile sales lot in a Neighborhood Business District at 808 Main Street West, parcel 1-16-

205.001, and

WHEREAS the Jefferson County Planning Board reviewed the request at their September 25, 2012 meeting, and adopted a motion stating that the project has no county-wide or inter-municipal issues, and is of local concern only, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for a Special Use Permit at its meeting held on October 2, 2012, and recommended that the City Council of the City of Watertown approve the request with the following condition:

1. The applicant shall not offer more than 5 vehicles for sale at once.

And,

WHEREAS a public hearing was held on the proposed Special Use Permit on Monday, November 5, 2012, after due public notice, and

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part II and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed Special Use Permit to allow automobile sales at 808 Main Street West is an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that a Special Use Permit is hereby granted to Jessica Jarrell to operate an automobile sales lot at 808 Main Street West, parcel 1-16-205.001, contingent upon the applicant meeting the condition listed above.

**Seconded by Council Member Joseph M. Butler Jr.**

**Motion was made by Council Member Roxanne M. Burns to schedule a Public Hearing on the foregoing resolution for Monday, November 5, 2012 at 7:30 P.M. Motion was seconded by Council Member Joseph M. Butler Jr. and carried with all voting in favor thereof.**

**Resolution No. 6 - Approving the Project Agreement Between the City of Watertown and the Development Authority of the North Country for Funds From the North Country HOME Consortium**

**Introduced by Council Member Roxanne M. Burns**

WHEREAS the City of Watertown has been awarded a grant from the North Country HOME Consortium for a total of \$150,000.00 for program years 2012 and 2013, and

WHEREAS it is necessary to enter into a formal agreement with the Development Authority of the North Country as administrator of the Consortium funds, and



WHEREAS an Agreement has been drafted, a copy of which is attached and made part of this Resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby approves the Home Investment Project Agreement between the City of Watertown and the Development Authority of the North Country, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, is hereby authorized and directed to execute the Agreement on behalf of the City Council.

**Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.**

### **Resolution No. 7 - Authorizing Acceptance of Credit Cards for Payments**

#### **Introduced by Council Member Jeffrey M. Smith**

WHEREAS City Council is desirous of accepting credit card, debit card and other electronic payments from the public as a means of obtaining payments of various payments owed to the City, and

WHEREAS General Municipal Law Section 5 authorizes the City Council to approve a resolution authorizing agreements with financing agencies or card issuers to provide for the acceptance of credit cards as a means of payment of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations, or other amounts, including penalties, special assessments and interest by credit card, and

WHEREAS General Municipal Law Section 5 requires City Council designate its officer in charge of the duty of collecting or receiving moneys on behalf of the City to be authorized to accept credit cards as a payment, and

WHEREAS General Municipal Law Section 5(c) provides that it shall be the option of the City Council to require, as a condition of accepting payment by credit card, that such person offering payment by credit or charge card pay a service fee to the City not exceeding the costs incurred by the City in connection with the credit or charge card payment transaction, including any fee owed by the City to the financing agency or card issuer arising from that transaction, and

WHEREAS General Municipal Law Section 5-b authorizes the City Council to approve a resolution to accept payments of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations, or other amounts, including penalties, special assessments and interest via a municipal internet website or the website of a third-party vendor that has contracted with the city to receive payments on its behalf,

NOW BE IT FURTHER RESOLVED that pursuant to General Municipal Law Section 5-b the City Council determines that it is in the public interest to accept credit card, debit card and other electronic payment methods via its municipal internet website or the website of a third-party vendor that has contracted with the city to receive payments on its behalf for property

taxes, water and sewer charges and refuse totes, and

BE IT FURTHER RESOLVED that the City Comptroller is authorized to enter into an agreement with Systems East for the providing of an internet payment solution for the City and is further authorized to enter into any agreements necessary with financing agencies or card issuers to facilitate the acceptance of credit cards, debit cards and other electronic payment methods for payment, and

BE IT FURTHER RESOLVED that the City Comptroller is authorized to charge a service or convenience fee as a condition of accepting payments by credit card, debit card and other electronic payments, and

BE IT RESOLVED that pursuant to General Municipal Law Section 5 the City Council determines that it is in the public interest to accept in-person credit card and debit card payments for certain Parks and Recreation Department fees, and

BE IT FURTHER RESOLVED that the City Comptroller is authorized to accept all payments made to the City pursuant to any credit card payment, debit card payment or other electronic payment method as well as any electronic internet payment program instituted by the City.

**Seconded by Council Member Joseph M. Butler Jr. and carried with all voting yea.**

Prior to voting, Mayor Graham commented that he is pleased that City staff has come through with a recommendation on the matter and appreciates the diligence of the Comptroller. He inquired about when a customer can and cannot be charged for using a credit card.

James Mills, City Comptroller, replied that Visa and MasterCard prohibit convenience fees to be added on for face to face transactions.

Mayor Graham asked if someone wanted to pay a large bill online, a percentage can be charged.

Mr. Mills noted that this proposal is really just for online transactions only.

Mayor Graham asked about customers being able to pay with a credit card in-house.

Mr. Mills said he is not proposing in-house credit card transactions due to the merchant fees that the City would have to absorb.

Mayor Graham noted that the public is used to being able to come in and purchase small items, mentioning the fees typically charged in the Clerk's office. He asked that staff look at the possibility of adding in-house credit card transactions and said he supports this resolution.

Council Member Butler wished to thank Mr. Mills for all the work he has done on the topic, and said he supports the resolution and the policy which pertains to having internet accessibility for customers. There is a significant amount of property tax which is not escrowed, he said, and the essence of the resolution is make things convenient on fees that are incurred on a regular basis.

He noted that he supports the Comptroller's position and added that on bigger bills, such as taxes, it would not be appropriate at that point.

Council Member Macaluso said she agreed and said those fees can add up fast and be enormous. She asked if debit and credit cards would be differentiated.

Mr. Mills said it would be the same percentage. He clarified that for online payments, the consumer would pay the fee.

Mayor Graham noted that he feels as though people should be able to pay things like sports registrations, dog license or parking tickets in person and said the fiscal impact of that would have to be computed. He wished to reiterate that no one is suggesting that someone come in and pay a huge property tax bill online for the purpose of piling up frequent flier miles.

Council Member Smith said he agrees with this initial step pointing out the convenience for people who may want to pay bills from home. He said this has been something that people on Council have been wanting for several years. In terms of the smaller items, he said he is willing to look at those, but said the impact needs to be looked at and suggested having a cap on the dollar amount. He said the City should be cautious of larger items because less revenue will be budgeted.

Mayor Graham asked what the County is doing regarding credit card transactions.

Council Member Burns said the County is looking into accepting in-person credit card payments, which has not occurred in the past. She mentioned online payments are taken at the County and some of the smaller municipalities do allow in-person payment. She wished to thank Mr. Mills for bringing this to fruition, as it has been talked about for a long time. Council Member Burns said she thinks in today's world, people need to be able to pay with a credit or debit card in person if they so choose.

Council Member Butler asked about the fee charged in the City Clerk's office for use of credit and debit transactions.

Mrs. Lewis replied that the Vital Check system charges \$2.50 for a debit transaction and \$6.00 for a credit card transaction.

Council Member Burns wished to add that since the County is going through the same steps as the City and since the City is part of the County, this might be a nice effort to see if there could be some sharing of information between the two entities.

Mayor Graham questioned what other cities are doing regarding credit card transactions and said he is curious as to what public expectations are and what people are experiencing. He noted that a computer could be set up in the lobby to have people pay their bills.

Mr. Mills said it has been mentioned to have kiosks in the lobby or at the comptroller's office for people to use credit cards in person, but it would still be transacted over the internet.

Mayor Graham questioned if that would be practical for the smaller transactions, mentioning those done at the arena.

Council Member Macaluso stated that she thought the whole point of having this option was so that people would not have to come in. If credit cards are accepted in person and the City has to absorb those fees, she said it can get very expensive.

Mayor Graham said he has an aversion to saying that we cannot take money by way of not accepting credit cards in person, so if an avenue can be explored to get around the rule it should be looked into.

Mr. Mills said part of his concern in taking credit cards for some things but not others is the customer service aspect of the matter.

Mayor Graham said ways need to be explored to continue to refine the system. He asked how it will work.

Mr. Mills replied that there will be various buttons on City departments' pages to pay bills online then the customer will be directed to the appropriate screen to pay the bill.

### **Resolution No. 8 - Approving Supplemental Appropriation No. 3 For Fiscal Year 2011-12 for Various Accounts**

#### **Introduced by Council Member Joseph M. Butler Jr.**

RESOLVED by the City Council of the City of Watertown, New York that the total amount of \$273,000 is hereby transferred and appropriated from and to the following accounts of the listed funds for FY 2011-12 for the reasons shown:

#### **GENERAL FUND**

A	1364	430	PROPERTY ACQUIRED	Contracted Services	\$	350	Under appropriated
A	1440	440	ENGINEERING	Fees, Non-employee	\$	4,700	Under appropriated
A	3120	420	POLICE	Insurance	\$	100	Under appropriated
A	3120	450	POLICE	Miscellaneous	\$	1,500	Under appropriated
A	3120	820	POLICE	Police Retirement System	\$	38,000	Under appropriated
A	3120	840	POLICE	Workers' Compensation	\$	1,000	Under appropriated
A	3410	450	FIRE	Miscellaneous	\$	1,500	Under appropriated
A	3410	820	FIRE	Fire Retirement System	\$	4,650	Under appropriated
A	3410	840	FIRE	Workers' Compensation	\$	3,750	Under appropriated
A	5010	810	MUNICIPAL MAINTENANCE	NYS Retirement	\$	3,800	Under appropriated
A	5142	810	SNOW REMOVAL	NYS Retirement	\$	1,750	Under appropriated
A	5184	810	HYDROELECTRIC PRODUCTION	NYS Retirement	\$	100	No original appropriation
A	5184	840	HYDROELECTRIC PRODUCTION	Workers' Compensation	\$	2,600	Under appropriated
A	5186	465	TRAFFIC CONTROL & LIGHTING	Equipment < \$5,000	\$	500	Under appropriated
A	5186	850	TRAFFIC CONTROL & LIGHTING	Health Insurance	\$	33,950	Under appropriated
A	7110	810	THOMPSON PARK	NYS Retirement	\$	1,000	Under appropriated
A	7141	810	FAIRGROUNDS	NYS Retirement	\$	400	Under appropriated
A	7143	460	ATHLETIC PROGRAMS	Materials and Supplies	\$	350	Under appropriated
A	7180	460	SWIMMING POOLS	Materials and Supplies	\$	200	Under appropriated

A	7180	810	SWIMMING POOLS	NYS Retirement	\$	500	Under appropriated
A	8160	840	REFUSE AND RECYCLE	Workers' Compensation	\$	3,800	Under appropriated
A	9950	900	OTHER EXPENSES	Capital Fund Transfer	\$	<u>150,000</u>	Under appropriated
<b>TOTAL</b>					\$	<u>254,500</u>	

A	1230	810	MUNICIPAL EXECUTIVE	NYS Retirement	\$	(9,000)	
A	1315	430	COMPTROLLER	Contracted Services	\$	(10,000)	
A	1440	430	ENGINEERING	Contracted Services	\$	(7,000)	
A	1440	450	ENGINEERING	Miscellaneous	\$	(3,300)	
A	1490	430	PUBLIC WORKS ADMIN	Contracted Services	\$	(12,000)	
A	1620	430	MUNICIPAL BUILDINGS	Contracted Services	\$	(9,000)	
A	1640	460	CENTRAL GARAGE	Materials and Supplies	\$	(75,000)	
A	3120	455	POLICE	Vehicle Expense	\$	(8,000)	
A	3120	460	POLICE	Materials and Supplies	\$	(7,500)	
A	3410	460	FIRE	Materials and Supplies	\$	(7,500)	
A	5110	455	MAINTENANCE OF ROADS	Vehicle Expense	\$	(7,000)	
A	5110	460	MAINTENANCE OF ROADS	Materials and Supplies	\$	(25,500)	
A	5142	455	SNOW REMOVAL	Vehicle Expense	\$	(5,000)	
A	5186	430	TRAFFIC CONTROL & LIGHTING	Contracted Services	\$	(5,000)	
A	5186	460	TRAFFIC CONTROL & LIGHTING	Materials and Supplies	\$	(6,500)	
A	7020	810	RECREATION ADMINISTRATION	NYS Retirement	\$	(6,700)	
A	7110	455	THOMPSON PARK	Vehicle Expense	\$	(7,500)	
A	7140	460	PLAYGROUNDS	Materials and Supplies	\$	(8,000)	
A	7141	410	FAIRGROUNDS	Utilities	\$	(4,000)	
A	7141	430	FAIRGROUNDS	Contracted Services	\$	(6,000)	
A	7265	430	ICE ARENA	Contracted Services	\$	(5,000)	
A	7265	460	ICE ARENA	Materials and Supplies	\$	(4,000)	
A	7265	840	ICE ARENA	Workers' Compensation	\$	(2,000)	
A	8140	455	STORM SEWER	Vehicle Expense	\$	(5,000)	
A	8140	460	STORM SEWER	Materials and Supplies	\$	(5,000)	
A	8160	455	REFUSE AND RECYCLE	Vehicle Expense	\$	<u>(4,000)</u>	
<b>TOTAL</b>					\$	<u>(254,500)</u>	

#### **WATER FUND**

F	8310	460	WATER ADMINISTRATION	Materials and Supplies	\$	200	Under appropriated
F	8310	810	WATER ADMINISTRATION	NYS Retirement	\$	300	Under appropriated
F	9070	800	OTHER EXPENSES	Compensated Absences	\$	<u>5,300</u>	Under appropriated
<b>TOTAL</b>					\$	<u>5,800</u>	

F	8330	460	WATER PURIFICATION	Materials and Supplies	\$	<u>(5,800)</u>	
<b>TOTAL</b>					\$	<u>(5,800)</u>	

#### **SEWER FUND**

G	8130	450	TREATMENT AND DISPOSAL	Miscellaneous	\$	100	Under appropriated
G	8130	460	TREATMENT AND DISPOSAL	Materials and Supplies	\$	1,000	Under appropriated
G	9070	800	OTHER EXPENSES	Compensated Absences	\$	<u>7,700</u>	Under appropriated
Total					\$	<u>8,800</u>	

G	8120	460	SANITARY SEWER	Materials and Supplies	\$	<u>(8,800)</u>	
Total					\$	<u>(8,800)</u>	

#### **LIBRARY FUND**

L	9070	800	OTHER EXPENSES	Compensated Absences	\$	<u>3,900</u>	Under appropriated
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Total \$ 3,900

L 7410 410 LIBRARY Utilities \$ (3,900)

Total \$ (3,900)

**Seconded by Council Member Roxanne M. Burns and carried with all voting yea.**

**Resolution No. 9 - Authorizing Assignment of City-owned Tax Sale Certificate on Parcel Number 07-03-312.000 Known as 457 Court Street To Clifford K. Pickett Sr., 225 Mechanic St, Watertown, New York 13601**

**Introduced by Council Member Jeffrey M. Smith**

WHEREAS the City of Watertown is the owner of a certain tax sale certificate on a lot of land known as 457 Court Street as designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 07-03-312.000, and

WHEREAS the tax sale certificate has not been redeemed within the two year redemption period per City Charter Section 140, and

WHEREAS the City Council does not wish to take title to this property, and

WHEREAS the City Comptroller held a public auction on October 10, 2012 as authorized by City Council on September 17, 2012 for the purpose of assigning the City's tax sale certificate,

NOW THEREFORE BE IT RESOLVED that the offer of \$3,000~~0~~ submitted by Clifford K. Pickett, Sr. for the purchase of the tax sale certificate for Parcel No. 07-03-312.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the City Comptroller is directed to assign the City's tax sale certificate for the above parcel to Clifford K. Pickett, Sr. upon the Comptroller's receipt of certified funds in the amount of \$3,000.

**Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.**

Prior to the vote, Mayor Graham noted in the fifth paragraph there is an extra zero. He asked if the parties to introduce and second the resolution were agreeable to the friendly amendment.

They replied they agree with it.

**Resolution No. 10 - Authorizing Assignment of City-owned Tax Sale Certificate on Parcel Number 5-14-103.000 Known as 1543 State Street To Thomas M. Stanley Jr., 8094 Saintsville Road, Kirkville, New York 13082**

**Introduced by Council Member Jeffrey M. Smith**

WHEREAS the City of Watertown is the owner of a certain tax sale certificate on a lot of

land known as 1543 State Street as designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 05-14-103.000, and

WHEREAS the tax sale certificate has not been redeemed within the two year redemption period per City Charter Section 140, and

WHEREAS the City Council does not wish to take title to this property, and

WHEREAS the City Comptroller held a public auction on October 10, 2012 as authorized by City Council on September 17, 2012 for the purpose of assigning the City's tax sale certificate,

NOW THEREFORE BE IT RESOLVED that the offer of \$2,000 submitted by Thomas M. Stanley Jr. for the purchase of the tax sale certificate for Parcel No. 05-14-103.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the City Comptroller is directed to assign the City's tax sale certificate for the above parcel to Thomas M. Stanley Jr. upon the Comptroller's receipt of certified funds in the amount of \$2,000.

**Seconded by Council Member Joseph M. Butler Jr. and carried with all voting yea.**

Prior to the vote, Mayor Graham wished to clarify the process and asked Attorney Slye if this was approved, would the individual then file the deed then the property would belong to them.

Attorney Slye replied that as the holder of the tax sale certificate, they can apply for a tax deed from the City Comptroller. He added that by selling the certificate, the City stays out of the chain of title.

Mr. Mills noted that his office takes care of all the filing just to make sure the transaction gets on record.

**Resolution No. 11 - Authorizing Sale of Real Property, Known as 1 Boyd Place to Jeffrey A. Lowe, 2 Boyd Place, Watertown, New York 13601**

**Introduced by Council Member Teresa R. Macaluso**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 1 Boyd Place, approximately 40' x 60' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 12-05-208.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use,

and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$1,000.00 submitted by Jeffrey A. Lowe for the purchase of Parcel No. 12-05-208.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Jeffrey A. Lowe upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

**Seconded by Council Member Joseph M. Butler Jr. and carried with all voting yea.**

Prior to voting, Mayor Graham noted that in order for all the property sales to take effect, they require a four-fifths vote.

**Resolution No. 12 - Authorizing Sale of Real Property, Known as 507 Holcomb Street to Eric Michael Moore, 935 Sherman Street, Watertown, New York 13601**

**Introduced by Council Member Teresa R. Macaluso**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 507 Holcomb Street, approximately 51' x 79' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 10-17-116.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and



WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$32,500 submitted by Eric Michael Moore for the purchase of Parcel No. 10-17-116.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Eric Michael Moore upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

**Seconded by Council Member Jeffrey M. Smith and carried with all voting yea.**

**Resolution No. 13 - Authorizing Sale of Real Property, Known as 660 Huntington Street to Eric Michael Moore, 935 Sherman Street, Watertown, New York 13601**

**Introduced by Council Member Jeffrey M. Smith**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 660 Huntington Street, approximately 54' x 180' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 06-06-321.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within

one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$8,000 submitted by Keith Garrett for the purchase of Parcel No. 06-06-321.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Keith Garrett upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

**Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.**

Prior to the vote, Mayor Graham asked Mr. Mills if this is the one in which the original high bidder withdrew his bid.

Mr. Mills replied that the first high bidder, Eric Michael Moore contacted him the next morning and said he did not want to proceed with his bid. Mr. Mills said Mr. Moore recognized he lost his ten percent deposit, and Mr. Mills contacted the second highest bidder to see if he was interested and he agreed to his bid of \$8,000.

**Resolution No. 14 - Authorizing Sale of Real Property, Known as 753 Rear Main Street West to Ruby C. Williams, 223 LeRay Street, Black River, New York 13612**

**Introduced by Council Member Roxanne M. Burns**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 753 Rear Main Street West, approximately 114' x 420' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 01-14-201.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$125,000 submitted by Ruby C. Williams for the purchase of Parcel No. 01-14-201.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Ruby C. Williams upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

**Seconded by Council Member Joseph M. Butler Jr. and carried with all voting yea.**

**Resolution No. 15 - Authorizing Sale of Real Property, Known as 729 Morrison Street to James Desormeau, 739 Morrison Street, Watertown, New York 13601**

**Introduced by Council Member Jeffrey M. Smith**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 729 Morrison Street, approximately 66' x 100' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 01-03-105.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within

one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$11,100.00 submitted by James Desormeau for the purchase of Parcel No. 01-03-105.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to James Desormeau upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

**Seconded by Council Member Joseph M. Butler Jr. and carried with all voting yea.**

Prior to voting on the foregoing resolution, Mayor Graham asked if the Comptroller's office also did the paperwork for the sale of real property.

Mr. Mills replied that his office does file the paperwork.

**Resolution No. 16 - Authorizing Sale of Real Property, Known as 611 Olive Street to Thon Vith, 629 Lillian Street, Watertown, New York 13601**

**Introduced by Council Member Roxanne M. Burns**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 611 Olive Street, approximately 50' x 102' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 06-07-217.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as

defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$27,000 submitted by Thon Vith for the purchase of Parcel No. 06-07-217.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Thon Vith upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

**Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.**

**Resolution No. 17 - Authorizing Sale of Real Property, Known as 221 Rutland Street South to David and Lucinda Heinisch, 1247 Minerva Avenue, West Islip, New York 11795**

**Introduced by Council Member Jeffrey M. Smith**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 221 Rutland Street South, approximately 55' x 110' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 12-06-208.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of

the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$25,000 submitted by David and Lucinda Heinisch for the purchase of Parcel No. 12-06-208.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to David and Lucinda Heinisch upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

**Seconded by Council Member Joseph M. Butler Jr. and carried with all voting yea.**

**Resolution No. 18 - Authorizing Sale of Real Property, Known as 259 Seymour Street to Cavellier Properties Inc. 16747 Co. Rt. 155, Watertown, New York 13601**

**Introduced by Council Member Joseph M. Butler Jr.**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 259 Seymour Street, approximately 50' x 100' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 03-09-303.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$28,000 submitted by Cavellier Properties, Inc. for the purchase of Parcel No. 03-09-303.000, is a fair

and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Cavellier Properties, Inc. upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

**Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.**

**Resolution No. 19 - Authorizing Sale of Real Property, Known as 1407 State Street to Chad Johnson, 329 Broadway Avenue West, Watertown, New York 13601**

**Introduced by Council Member Jeffrey M. Smith**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 1407 State Street, approximately 65' x 120' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 05-01-103.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$31,000 submitted by Chad Johnson for the purchase of Parcel No. 05-01-103.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real

property to Chad Johnson upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

**Seconded by Council Member Joseph M. Butler Jr. and carried with all voting yea.**

**Resolution No. 20 - Authorizing Sale of Real Property, Known as 60 Woodley Street to William Martin, 576 Snell Street, Watertown, New York 13601**

**Introduced by Council Member Roxanne M. Burns**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 60 Woodley Street, approximately 50' x 73' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 01-24-201.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$100 submitted by William Martin for the purchase of Parcel No. 01-24-201.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to William Martin upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that



if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

**Seconded by Council Member Teresa R. Macaluso.**

Council Member Butler inquired if this is the gentleman who has not paid his recent tax bill.

Mr. Mills said when he wrote the memo to accompany the resolution, Mr. Martin had not yet paid his 2012-13 tax bill and as of this evening he did not have a status update.

Council Member Butler asked what the amount of the outstanding bill was.

Mr. Mills replied that he did not have a total.

**Motion was made by Council Member Joseph M. Butler Jr. to table the resolution.**

**Motion was seconded by Council Member Jeffrey M. Smith and carried with all voting in favor thereof.**

**Introduced by Mayor Jeffrey E. Graham**

WHEREAS the City Council of the City of Watertown finds there to be a shortage of affordable housing within the City and surrounding area, and

WHEREAS a proposal has been put forth to provide affordable housing owned by a Housing Development Fund Company formed pursuant to the Private Housing Finance Law Article XI, by the construction of a project located at 980 Rear Mill St on tax parcel 3-14-105.100

WHEREAS the location of the proposed project had been included in the NYS Empire Zone for the purpose of providing certain tax benefits under Real Property Tax Law §485-e, and

WHEREAS the NYS Empire Zone program has expired and the desired incentives are no longer available under that program, and

WHEREAS pursuant to Private Housing Finance Law §577, the local legislative body of any municipality in which a project of a housing development fund company is located may exempt, in whole, or in part, the real property in such project from local and municipal taxes including school taxes, and

WHEREAS it is the City's desire to offer essentially the same exemption benefits that would have been conferred on such a project had it been constructed prior to the expiration of the Empire Zone.

NOW THEREFORE BE IT RESOLVED that upon the ownership of tax parcel 3-14-105.100 by a Housing Development Fund Company formed pursuant to the Private Housing Finance Law and the construction of a project by said Housing Development Fund Company, said project shall be exempt from City, County and School taxes in the same general manner as those exemptions previously offered under Real Property Tax Law §485-e, and

BE IT FURTHER RESOLVED exemption will commence on the first assessment roll following an increase to the assessment attributable to construction and will be for a term of 10 years. The amount of exemption is limited to a percentage of the increase in assessed value attributable to the construction or improvement as determined in the first year of exemption. This "base amount" remains constant throughout the term of the exemption, except where there is a change to the assessment, in which case the base amount is adjusted by the same percentage as the change in assessment. The first 7 years of the exemption, the exemption shall be at 100% of the "base amount". In years 8, 9 and 10 the exemption shall be at 75%, 50% and 25% respectively, and

BE IT FURTHER RESOLVED for the purpose of calculating this exemption the non exempt or taxable value shall not be less than \$645,900, and

BE IT FURTHER RESOLVED this exemption will terminate immediately in the event that the project is transferred to an entity other than, or no longer under the control of a Housing Development Fund Company formed pursuant to the Private Housing Finance Law, and

BE IT FURTHER RESOLVED that during the term of this exemption the project will utilize the City of Watertown's curbside refuse and recycling services by providing at minimum an individual 64 gallon tote for each occupied residential unit. The exemption will expire immediately in the event that the project no longer utilizes this service, and

BE IT FURTHER RESOLVED this exemption will terminate in the event that project is to be assessed pursuant to Real Property Tax Law 581-a at the request of project owner.

**Seconded by Council Member Roxanne M. Burns**

**Rules were waived by motion of Mayor Graham, seconded by Council Member Burns and carried with all voting in favor thereof.**

Council Member Butler noted that this resolution was waiting on his desk when he arrived this evening and he did not have much time to look at it and noted it is a very important matter. He said he had the opportunity to speak with Ms. Goodman, who was very forthcoming and pleasant to talk with. He said that the last time Council met, it was the understanding that the City would get \$10,000 but the way it was described under section 577, section 11, the City is not in the position to offer PILOTs because of the exclusion that was discussed with the County and school. He noted that the amount was decreased from \$10,000 to about \$4,600. He said he recognizes the importance of this project and the demand for housing in the area but noted that his contention from the start was that this is put on the backs of taxpayers. Council Member Butler said he was hoping to get more for the City taxpayer. He added he hopes the project succeeds.

Council Member Smith said he opposed the first property tax exemption because of the twenty five percent. He said he supports low income housing and appreciates all that Creekwood has done in terms of answering questions but twenty five percent of the housing is market rate and there is still a cost that is going to go to the City that taxpayers will have to make up. He said he would still like to give a tax exemption but only on the seventy five percent of low income because the developer is taking a hit on that. He said more needs to be obtained on the market rate portion of the property.

Council Member Burns replied that no one could dispute that comment and she said in a perfect world she would like to see the City get that too, but the reality is, she said, that it does not make the project work for the developers. She said it will either be passed tonight or not passed and the project will move forward outside the City of Watertown. She said she answers to the same constituents as other Council Members and the reality of the matter is that this has been going on and on and Council has approved many PILOTs, noting that she appreciates that this is only a ten year plan. Council Member Burns added that this does fill a need and as a community sometimes the City does have to subsidize a need that exists, just as is done when streets need repair or emergency services. She said she will support this project, as she has from the start, and said if there was any way this could have come to fruition without a PILOT that would have been great, but it does not happen that way. She added that she hopes it will pass so it can stay inside the City limits, which would help sales tax revenue and mentioned that the people who may reside there rely on City and County services.

Council Member Macaluso reminded Council that originally this project was not inside the City of Watertown, it was in the Town of Pamela and annexed to the City. She said she feels this is an investment for the City and in ten years the City would be receiving a lot from this development.

Council Member Butler said the sales tax revenue flows through the County and the City gets a percentage of that. He said the demand on services within the City is something he is concerned about and said he can appreciate Council Member Macaluso's point that the City will benefit later on from the property. He noted the last paragraph of the resolution, and asked if the developer could apply for the 581-a in year eleven and end up being a low-income project.

Brian Phelps, City Assessor, said he fully expects that in year eleven it will be assessed under 581-a. The provision is in there so it is not being assessed at a lower value and giving it an exemption at the same time, he said.

In response to Council Member Butler's comments, Council Member Burns said as far as the demand on service, Council should be realistic and if this project happens in the Town of Watertown or Pamela and there is a major fire in the complex, the City's Fire Department will respond, as it does any time an alarm goes off at the mall or a hotel. She said in the end, the City's services will be there whether the complex is inside the imaginary City line or not.

Mayor Graham commented that if this resolution is going to pass, he will have to vote for it.

Council Member Butler concluded that he did not appreciate receiving this resolution an hour ago for as contentious an issue as this is and noted that this has happened in the past.

Mayor Graham replied that this issue was raised at the last meeting and he had asked that a resolution be drawn for this evening and was disappointed it did not get into the agenda last Thursday. Part of legislating and having the waiver rule, is that background work is done ahead of time and it is fairly common practice, the Mayor said. He said he was disappointed to have to split up with the other taxing jurisdictions, he said this resolution continues the language on curbside refuse and recycling services.

**At the call of the chair, vote was taken on the foregoing resolution and carried with Council Member Burns, Council Member Macaluso and Mayor Graham voting yea, and Council Member Butler and Council Member Smith voting nay.**

## **ORDINANCES**

**There was no introduction for the following Ordinance.**

**Ordinance No. 1 - Changing the Approved Zoning Classification of 63 Properties, Between Main Street West and the Black River, in Order to Conform to The Local Waterfront Revitalization Program**

**Introduced by \*\*\***

BE IT ORDAINED where certain changes to Zoning District boundaries are required in order to implement the City of Watertown's Local Waterfront Revitalization Program, and

WHEREAS City Staff have submitted a request to change the approved zoning classification of certain properties between the Black River and Main Street West, and

WHEREAS the Planning Board of the City of Watertown considered the zone change

request at its meeting held on October 2, 2012, and adopted a motion recommending that the City Council approve the zone changes as requested, and

WHEREAS the Jefferson County Planning Board reviewed the request at its September 25, 2012 meeting and determined that the proposal has no inter-municipal or county-wide issues and is of local concern only, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change, and

WHEREAS a public hearing was held on the proposed zone change on November 5, 2012, after due public notice, and

WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed zone change according to the requirements of SEQRA,

NOW THEREFORE BE IT ORDAINED that the zoning classification of the following parcel is hereby changed to **Residence C District**:

1-17-103.000	815 ANNE ST
1-17-104.000	811 ANNE ST
1-17-204.000	839 ANNE ST
1-17-205.000	835 ANNE ST
1-17-206.000	831 ANNE ST
1-17-207.000	827 ANNE ST
1-17-208.000	823 ANNE ST
1-17-301.000	859 ANNE ST
1-17-302.000	855 ANNE ST
1-17-303.000	855 ANNE ST
1-17-304.000	843 ANNE ST
1-17-504.000	818 ANNE ST
1-17-505.000	822 ANNE ST
1-17-506.000	826 ANNE ST
1-17-507.000	830 ANNE ST
1-17-508.000	834 ANNE ST
1-17-510.000	840 ANNE ST
1-17-511.000	844 ANNE ST
1-17-512.000	848 ANNE ST
1-17-513.000	M54 ANNE ST
1-17-533.000	487 POPLAR ST
1-17-535.000	481 POPLAR ST

And,

BE IT FURTHER ORDAINED that the zoning classification of each of the parcels in the following list is hereby changed to **Neighborhood Business District**:

1-01-301.001	557 REAR MAIN ST W
1-01-302.000	549 MAIN ST W
1-01-305.000	531 MAIN ST W

1-14-101.000	412 MAPLE AVE
1-14-103.000	418 MAPLE AVE
1-14-104.000	424 MAPLE AVE
1-14-105.000	428 MAPLE AVE
1-14-106.000	432 MAPLE AVE
1-14-107.000	432 MAPLE AVE
1-14-108.000	440 MAPLE AVE
1-14-111.100	729 MAIN ST W
1-17-403.000	925 MAIN ST W
1-17-515.000	466 HOLLY ST
1-17-516.000	466 HOLLY ST
1-17-519.000	877 MAIN ST W
1-17-520.000	871 MAIN ST W
1-17-521.000	867 MAIN ST W
1-17-522.000	861 MAIN ST W
1-17-523.000	855 MAIN ST W
1-17-524.000	851 MAIN ST W
1-17-525.000	845 MAIN ST W
1-17-526.000	833 MAIN ST W
1-17-527.000	833 MAIN ST W
1-17-528.000	827 MAIN ST W
1-17-529.000	819 MAIN ST W

And,

BE IT FURTHER ORDAINED that the zoning classification of each of the parcels in the following list is hereby changed to **Commercial District**:

1-18-101.001	VL-4 VANDUZEE ST
1-18-103.000	470 VANDUZEE ST
1-18-103.001	444 VANDUZEE ST
1-18-104.000	476 VANDUZEE ST
1-18-105.000	VL MAIN ST W
1-19-101.000	471 VANDUZEE ST
1-19-101.001	471 VANDUZEE ST
1-19-102.000	475 VANDUZEE ST
1-19-103.000	VL-6 VANDUZEE ST
1-19-103.001	1003 MAIN ST W
1-19-104.000	VL-8 VANDUZEE ST
7-08-204.000	532 COFFEEN ST

And,

BE IT FURTHER ORDAINED that the zoning classification of each of the parcels in the following list is hereby changed to **Light Industrial District**:

1-14-121.000	591 REAR MAIN ST W
1-14-125.000	611 MAIN ST W
77-01-001.000	1 CONRAIL (only the portion between Main Street West and the Black River)

And,

BE IT FURTHER ORDAINED that parcel 1-14-301, a part of the property known as 753 Rear Main Street West, located along the bank of the Black River, is hereby changed to **Waterfront District**, and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect these changes, and

BE IT FURTHER ORDAINED this amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

**Seconded by\*\*\***

**The Ordinance “Amending Section A320 of the City Code, Fees”** *(Introduced on October 1, 2012; public hearing held this evening; appears in its entirety on page 255 of the 2012 Minutes Book).*

Prior to the vote, Council Member Smith mentioned that in previous discussion, the parties who introduced and seconded the legislation would withdraw or it could be voted down.

Mayor Graham replied it could be voted down or tabled. He said it would probably be best to resolve it through an act of Council, and once it is laid over under the rules it is part of a process and he said it would be more appropriate to either vote on it or table it.

**At the call of the chair, a vote was taken on the foregoing ordinance with Council Member Burns, Council Member Macaluso and Mayor Graham voting yea, and Council Member Butler and Council Member Smith voting nay.**

## **DISCUSSIONS**

### **Proposed No Parking Restriction, Jefferson Street**

Mayor Graham reviewed this memo with Council and pointed out it is a narrow street.

Council Member Burns said she would support the departments requesting this and requested an ordinance drawn for the November 5 meeting.

### **VL Huntington St**

Council Member Burns said this topic has been raised before and she had asked Attorney Slye to look into the matter and get back to Council. She noted there is a memo from the City Assessor and asked for clarification on this issue as a decision was rendered by the Supreme Court and suggested that there be compliance.

Attorney Slye, said the tax map will be amended to show the area in question as a paper street again but tax maps are not something that someone is entitled to rely upon for title or anything else. He said it has not been a big priority but he said he will talk to the City Assessor about getting it done.

Council Member Burns noted she does not see it as a priority either but was a bit surprised at the memo as she expected a response from Attorney Slye. She said she is not trying to get in a dispute between two neighbors but she said the Maitlands had approached her and as an elected official she said she owes them a response.

Attorney Slye said she can tell them that the Assessor is going to correct the map to continue to show it as a paper street, as it was, but the City does not know who owns it.

Council Member Burns commented that the Maitland's did have a right of way through their deed, which she said she assumes would continue.

Attorney Slye replied that resolution is between the Maitlands and the people they sued.

Council Member Burns said they are looking for that to just go back to a paper street and not be a separate parcel owned by someone else.

Attorney Slye said the existence or non existence of a tax map showing it one way or the other does not have an affect on the Maitland's rights in connection with that property.

### **Intersection of Clinton and Holcomb/South Massey Streets**

Council Member Burns said she received a phone call regarding the Clinton Street reconstruction and noted there has been some patchwork done which is in pretty bad condition. She asked the City Manager to look into this matter.

### **Ordinance –Fees**

Council Member Smith said the City will need consistency with this plan regarding concessions and parking. He said he does not support it and said he thought it would be changed.

### **Refuse**

Council Member Smith said regarding refuse collection, the City's service includes yard waste and the actual fees for garbage and totes subsidize that yard waste collection. He said the City's expenses would actually go up if the City got out of the refuse business only.

Mayor Graham said Ms. Goodman's statements reveal an issue that needs further discussion.

Council Member Smith commented that another way to cut expenses is to go directly to the landfill instead of the transfer station.



Mayor Graham stated Council Member Smith has a lot of good ideas and that the City should do away with the need to separate recycling. He mentioned an issue that was part of the resolution in which he voted for, but did not want to get into a discussion on whether or not it should be there, the idea that people are being coerced into participating in refuse service by dangling some other reward out there is as dubious a proposition as could be. He said he would like to not have the City do that.

### **Maple Court PILOT**

Mayor Graham noted there is a public hearing on October 25, 2012, at the IDA regarding a range of benefits that the developer will be getting through other statutes.

### **Sales Tax Revenue**

Mayor Graham pointed out this report.

### **DEC Public Hearing**

Mayor Graham said a public hearing will be held November 7, 2012, at North Elementary School, regarding pollution remediation issues in that area.

### **Aviary**

Mayor Graham said he spoke with the chairman of the zoo board who asked the Mayor when the Aviary will be taken down. He said he believed that Council and staff's position was to decide on something to replace it. Based on staff recommendation, he said Council will need to make a decision on what goes there. Mayor Graham added that an offer was made to meet with the zoo board but that opportunity was not afforded to Council. He said he felt obliged to relay those comments to Council and staff.

## **A D J O U R N M E N T**

**At the call of the chair, meeting was duly adjourned at 8:08 p.m. by motion of Council Member Macaluso, seconded by Council Member Smith and carried with all voting in favor thereof.**

**Amanda C. Lewis**  
Deputy City Clerk